

Newstead Town Board Meeting- August 9, 2004

A Regular Meeting was called to order by the Newstead Town Board on Monday, August 9, 2004 at the Newstead Town Hall at 8:00PM.

Present: Gerald F. Summe, Supervisor
Tom George- Councilman
Joan Glor- Councilwoman
Harold L. Finger- Councilman
Scott Chaffee- Councilman
Jim Ebersole- Highway Superintendent
Fred Pask- Assessor
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk

Roll Call was taken with all board members present.

Dan Seider led the pledge to the flag.

Minutes from the previous regular board meeting held on July 26, 2004 and the special meeting on August 2, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded Councilman Finger by to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

The 2004 Annual Report for the Division of Real Property Tax was received from the Erie County Department of Budget, Management & Finance.

A fax transmission was received from Amherst Central Alarm with the July 2004 report of calls for Akron Fire Co.- 37 and Newstead Fire Co.- 33.

An e-mail from the County of Erie- Department of Health was received regarding updates on information on the West Nile Virus.

A letter from the Akron Chamber of Commerce inviting community leaders and business owners to attend their meetings. The next meeting is scheduled for August 10th at 8:00am at the Candy Apple Café. Anyone interested in attending should contact the Chamber office.

A letter from Arrowhead Golf Club owner, Joseph Frey, notifying the Town Board of his intent to apply for an annual liquor license for the clubhouse located at 12292 Clarence Center Rd.

A motion was made by Councilman Finger, seconded by Councilman Glor to receive and file correspondence as presented. Carried Unanimously

Work Session: Supervisor Summe reported that work session was held on August 2, 2004 and the following issues were discussed: a public hearing on the Alden-Newstead-Clarence Agricultural Districts was held, a special meeting approving construction contracts was held, the new town hall project, water district #10, airport issues, the senior center project and roof repairs at the highway garage were also discussed. A meeting was then held on the Rt. 5 re-zoning project.

Privilege of the Floor – No one spoke.

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #304 from the July 26,2004 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #310. Vouchers on these abstracts numbered 791- 850 totaling \$41,921.39 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 310:

General Fund (A) -\$15,984.16, Fund (B) \$3,324.53, Highway (DA) -\$0, Highway: Outside Village (DB) \$440.20, Capital Projects- WD#5-Phase II (HC) \$0, CAP-Senior Center (HF)- \$2,100.00, Sewer Dist. #2 (HJ)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$9,279.28, CAP- Town Hall (HK)- \$3,750.00, Fire Protection (SF) \$2,267.05, Refuse (SR) \$283.57, Sewer Fund (SS) \$511.46, Sewer District #2 (SS02)- \$7.59, and Water Districts (SW1) \$22.44, (SW2) \$87.06, (SW3) \$53.46, (SW4) \$108.70, (SW5) \$2,373.93, (SW6) \$295.04, (SW7) \$916.45, (SW7A) \$0, (SW8) \$31.06, (SW9) \$85.41, Trust & Agency (TA) \$0, Totaling \$41,921.39 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – currently helping Erie County to pave Fletcher Rd. Waiting for better weather to mix topsoil & fertilizer for park fields (cost \$4.00/cu yd). The job must be done in the next couple weeks or it will have to be postponed until next spring. Jim will be on vacation August 16-17th. A \$7,000 grant was received from Sandra Lee Wirth’s office. Metal & white goods pick-up will begin on September 27th, all articles must be by the roadside by September 26th. Ken Wozniak has resigned his position.

Assessor – Fred reported that the town has 2 Article 7 claims that he will need special council for a 4 small claims.

Building Office –the following building report was presented by the Building Administrator Christine Falkowski:

Edward Schaus	12275 Stage	Deck
Paul Bender	4651 N. Millgrove	Hot Tub
Ron Davidson	7706 Fletcher	Re-roof
Michael Borowczyk	13404 Stage	2 Family Home
Adam Maloney	13424 Stage	Garage
Joseph Pilarski	11272 Main	Pole Barn
Berghorn/Bower	7878 Moore	One Family Home
Roxanne Saviola	5248 Crittenden	Garage Bay Addn
Sherry George	11688 Nice	Re-roof
Buffalo Drilling	12340 Main	Fuel Tank
Bob Froese	11701 Clarence Center	Fill Permit
Martin Smith	11342 Miland	Pipe Permit

A motion was made by Councilman Chaffee, seconded by Councilman George to accept and approve the Building Report as presented.

Carried Unanimously

Town Clerk- Presented June & July Dog Reports for DCO. Notices of new dog license fees have been posted and will take effect September 1, 2004. School tax season is fast approaching, therefore it is time for the new fall newsletter. Anyone with information for the fall newsletter please have it to Dawn by August 23rd.

Attorney for the Town – Nothing at this time.

COUNCILPERSONS

Chaffee – Nothing at this time

George – Nothing at this time

Glor – Received schedule of activities at the Senior Center. Membership is up well over 400 now. Everyone is very pleased with Theo and her performance. A meeting is scheduled this week on potential grants.

Finger- The town is struggling to get bids on roof work at the highway building due to inclement weather this year. Met with village board members regarding the zoning on the existing town hall building.

SUPERVISOR – Nothing at this time

UNFINISHED BUSINESS

Water District #10/Water Tank- Phase 1A archaeological study is complete, only Board comments are needed, then we can move on to 1B phase.

Town Wide Drainage- at the village board meeting on August 2nd a new resolution was adopted and legal notices were posted within the 10 day limit. September 9th is now the 30-day waiting period deadline.

Town Hall Project- we will be going out to bid shortly on the major component of construction. The preliminary work is to begin shortly. The town and village crews will work together to remove some of the trees.

Route 5 Zoning- comments from town, zoning and planning boards were taken at a meeting last week. Work session time will be scheduled to go over final proposal.

Bike Path Project- on hold until property owner gives permission to proceed.

Other- nothing

NEW BUSINESS:

Local Law #4 of 2004:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor declaring Lead Agency status on the Local Law No. 4 review and authorizing the Code Officer to conduct a coordinated SEQR review.

(Resolution Attached) Ayes- 5 Nays- 0 Carried Unanimously

A motion was made by Councilman Chaffee, seconded by Councilman George to approve the introduction of Local Law No.4 of 2004 entitled “Adoption of a Sign Law for the Town of Newstead” and instructing the Town Clerk to publish a notice of public hearing for September 13, 2004 at 7:50pm at the Newstead Town Hall.

(Resolution Attached) Ayes- 5 Nays- 0 Carried Unanimously

Agricultural Districts Re-Certification support:

A motion was made by Councilman George, seconded by Councilman Chaffee supporting the re-certification of the Alden-Newstead and Clarence-Newstead Agricultural Districts as outlined in the resolution.

(Resolution Attached) Ayes- 5 Nays- 0 Carried Unanimously

Tree Grant Proposal:

A motion was made by Councilwoman Glor, seconded by Councilman George supporting the proposal to apply for a tree grant through the NYS DEC and authorizing the Supervisor to sign the necessary documents.

(Resolution Attached) Ayes- 5 Nays- 0 Carried Unanimously

Wendel Contract- Senior Center Pavilion:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee authorizing the Supervisor to sign the contracts hiring Wendel Duschcherer for design work on the senior center pavilion in an amount of \$5,300.00. Ayes- 5 Nays- 0 Carried Unanimously

Agreement with Christian Airmen:

A motion was made by Councilman George, seconded by Councilwoman Glor authorizing the Supervisor to sign the Memorandum of Understanding with Christian Airmen regarding noise abatement and outreach programs. Ayes- 5 Nays- 5 Carried Unanimously

The Supervisor thanked Councilman George and Attorney Neill for all their hard work and effort on bringing this issue to a close and developing a good agreement with the airport.

Water District #10- Environmental Permit Application:

A motion was made by Councilman Finger, seconded by Councilwoman Glor authorizing the Supervisor to sign the environmental permit application regarding the Water District #10 project. (Resolution Attached) Ayes- 5 Nays- 0 Carried Unanimously

A motion was made by Councilman Chaffee, seconded by Councilman Finger approving the Lateral Restriction application for water service at 13404 Stage Road based upon the supporting evidence of need. Ayes- 5 Nays- 0 Carried Unanimously

Question Period- no one spoke

Work session next Monday, August 16th will begin at 7:00pm.

There being no further business to come before the board a motion was made by Councilman Glor, seconded by Councilman Chaffee to adjourn the meeting at 8:47 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak,
Town Clerk